

Fill in this information to identify the case:

Debtor 1 James M. Toomey

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of Pennsylvania (State)

Case number 21-21477-JAD

Official Form 410S1

Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of post-petition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Nationstar Mortgage LLC

Court claim no. (if known): 4

Last 4 digits of any number you use to identify the debtor's account:

XXXXXX4553

Date of payment change:

Must be at least 21 days after date of this notice 07/01/2023

New total payment:

\$ 853.63

Principal, interest, and escrow, if any

Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable non-bankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$263.94

New escrow payment: \$265.69

Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable non-bankruptcy law. If a notice is not attached, explain why: _____

Current interest rate _____ %

New interest rate: _____ %

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

Debtor 1

James M. Toomey

First Name

Middle Name

Last Name

Case number (if known) 21-21477-JAD

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box:

☐

I am the creditor.

☒

I am the creditor's attorney or authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief:

/s/ Roger Fay, Esq., ID No. 315987

Signature

Date May 17, 2023

Print:

Roger Fay, Esquire

First Name

Middle Name

Last Name

Title

Attorney for Creditor

Company

Milstead & Associates, LLC

Address

14000 Commerce Parkway, Suite H

Number

Street

Mount Laurel

NJ

08054

City

State

ZIP Code

Contact phone

(856) 724-1888

Email: rfay@milsteadlaw.com



RETURN SERVICE ONLY
PLEASE DO NOT SEND MAIL TO THIS ADDRESS
PO Box 818060
5801 Postal Road
Cleveland, OH 44181

OUR INFO
ONLINE
www.mrcooper.com

JAMES TOOMEY
2815 SPRING GARDEN AVE
PITTSBURGH, PA 15212

PROPERTY ADDRESS
2815 SPRING GARDEN AVENUE
PITTSBURGH, PA 15212

Dear JAMES TOOMEY,

An annual escrow analysis was performed on the above referenced account.

Our records indicate your loan is currently in an active bankruptcy proceeding. The enclosed escrow account disclosure statement is for informational purposes only and should not be construed as an attempt to collect a debt.

If you are represented by an attorney in your bankruptcy, please forward a copy of this letter to such attorney and provide such attorney's name, address and telephone number to us.

If you have any questions, please call our Bankruptcy Department at 877-343-5602. Our hours of operation are Monday through Friday from 8 a.m. to 5 p.m. (CT). Visit us on the web at www.mrcooper.com for more information.

Sincerely,

Mr. Cooper

Enclosure

Mr. Cooper is a brand name for Nationstar Mortgage LLC. Nationstar Mortgage LLC is doing business as Nationstar Mortgage LLC d/b/a Mr. Cooper. Mr. Cooper is a registered service mark of Nationstar Mortgage LLC. All rights reserved.

Please be advised this communication is sent for informational purposes only and is not intended as an attempt to collect, assess, or recover a claim against, or demand payment from, any individual protected by the U.S. Bankruptcy Code. If this account has been discharged in a bankruptcy proceeding, be advised this communication is for informational purposes only and not an attempt to collect a debt against you; however, the servicer/lender reserves the right to exercise the legal rights only against the property securing the loan obligation, including the right to foreclose its lien under appropriate circumstances. Nothing in this communication shall be construed as an attempt to collect against the borrower personally or an attempt to revive personal liability.

If you are a successor in interest (received the property from a relative through death, devise, or divorce, and you are not a borrower on the loan) that has not assumed, or otherwise become obligated on the debt, this communication is for informational purposes only and is not an attempt to collect a debt from you personally.





Escrow Account Disclosure Statement

Customer Service: 888-480-2432
Monday through Thursday from 7 a.m. to 8 p.m. (CT),
Friday from 7 a.m. to 7 p.m. (CT) and Saturday from 8 a.m.
to 12 p.m. (CT)

Tax/Insurance: 866-825-9267
Monday through Thursday from 8 a.m. to 9 p.m. (ET),
Friday from 8 a.m. to 7 p.m. (ET) and Saturday from 9 a.m.
to 3 p.m. (ET)

JAMES TOOMEY
2815 SPRING GARDEN AVE
PITTSBURGH, PA 15212

Statement Date: 04/30/2023

Why am I receiving this?

Mr. Cooper completed an analysis of your escrow account to ensure that the account is funded correctly, determine any surplus or shortage, and adjust your monthly payment accordingly. Mr. Cooper maintains an escrow cushion equal to two months' estimated taxes and insurance (unless limited by your loan documents or state law). This measure helps to void a negative balance in the event of changing tax and insurance amounts.

What does this mean for me?

The escrow analysis is based on the assumption that your loan is current, and all past due payments have been made. Based on this assumption, your Escrow Account is projected to have more money than needed, resulting in a surplus of \$487.93. If you are behind on your payments this is not a true surplus.

What do I need to do?

Please note that effective 07/01/2023, your new total monthly payment will be \$853.63.

Total Payment	Current Monthly Payment	Payment Changes	New Monthly Payment
PRINCIPAL AND INTEREST	\$587.94	\$0.00	\$587.94
ESCROW	\$263.94	\$1.75	\$265.69
Total Payment	\$851.88	\$1.75	\$853.63

See below for surplus calculation

What is a Surplus? A surplus is the difference between the **lowest projected balance** and the **minimum required balance** of your account for the coming year, as shown below. Please see second page for coming year details.



Please see the Coming Year Projections table on the back for more details.

Escrow Payment Breakdown	Current Annual Disbursement	Annual Change	Anticipated Annual Disbursement
COUNTY TAX	\$318.45	\$0.00	\$318.45
CITY TAX	\$1,283.25	\$0.00	\$1,283.25
HAZARD SFR	\$1,565.61	\$21.02	\$1,586.63
Annual Total	\$3,167.31	\$21.02	\$3,188.33

If you have questions about changes to your property taxes or homeowners' insurance premiums, please contact your local taxing authority or insurance provider. For more information about your loan, please sign in at www.mrcooper.com.

Mr. Cooper is a brand name for Nationstar Mortgage LLC. Nationstar Mortgage LLC is doing business as Nationstar Mortgage LLC d/b/a Mr. Cooper. Mr. Cooper is a registered service mark of Nationstar Mortgage LLC. All rights reserved.

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The change in your escrow payment** may be based on one or more of the following factors:

PAYMENT(S)

- Monthly payment(s) received were less than or greater than expected
- Monthly payment(s) received earlier or later than expected
- Previous overage returned to escrow
- Previous deficiency/shortage not paid entirely

TAXES

- Tax rate and/or assessed value changed
- Exemption status lost or changed
- Supplemental/Delinquent tax paid
- Paid earlier or later than expected
- Tax instalment not paid
- Tax refund received
- New tax escrow requirement paid

INSURANCE

- Premium changed
- Coverage changed
- Additional premium paid
- Paid earlier or later than expected
- Premium was not paid
- Premium refund received
- New insurance escrow requirement paid
- Force placed insurance premium paid

Prior Year Account History and Coming Year Projections

This is a statement of the actual activity in your escrow account from 06/22 through 06/23. This statement itemizes your actual escrow account transactions since your previous analysis statement or initial disclosure, and projects payments, disbursements, and balances for the coming year. The projections from your previous escrow analysis are included with the actual payments and disbursements for the prior year. By comparing the actual escrow payment with the previous projections listed, you can determine where a difference may have occurred. When applicable, the letter 'E' beside an amount indicates that a payment or disbursement has not yet occurred but is estimated to occur as shown.

Projections are included to ensure sufficient funds are available to pay your taxes and/or insurance for the coming year. Under Federal Law (RESPA), the lowest monthly balance in your escrow account should be no less than \$531.38 or 1/6th of the total annual projected disbursement from your escrow account, unless your mortgage documents or state law specifies otherwise. Your projected estimated lowest account balance of \$1,019.31 will be reached in April 2024. When the minimum required balance is subtracted from your lowest projected balance, an Escrow Surplus results in the amount of \$487.93. These amounts are indicated with an arrow (<).

This escrow analysis is based on the assumption that all escrow advances made on your loan prior to your bankruptcy filing date are included in your bankruptcy plan and will be paid in the plan. This analysis considers insurance, taxes and other amounts that will come due after the filing of your bankruptcy case.

Month	Projected Payment	Actual Payment	Projected Disbursement	Actual Disbursement	Description	Projected Balance	Actual Balance
Start						\$1,055.79	(\$3,834.28)
06/22	\$0.00	\$357.74*	\$0.00	\$0.00		\$1,055.79	(\$3,476.54)
07/22	\$263.94	\$1,137.63E	\$0.00	\$0.00		\$1,319.73	(\$2,338.91)
08/22	\$263.94	\$263.94E	\$0.00	\$0.00		\$1,583.67	(\$2,074.97)
09/22	\$263.94	\$263.94E	\$0.00	\$0.00		\$1,847.61	(\$1,811.03)
10/22	\$263.94	\$555.17E	\$0.00	\$0.00		\$2,111.55	(\$1,255.86)
11/22	\$263.94	\$846.40E	\$0.00	\$0.00		\$2,375.49	(\$409.46)
12/22	\$263.94	\$555.17E	\$0.00	\$0.00		\$2,639.43	\$145.71
01/23	\$263.94	\$263.94	\$1,283.25	\$1,283.25*	CITY TAX	\$1,620.12	(\$873.60)
02/23	\$263.94	\$514.75	\$318.45	\$0.00	COUNTY TAX	\$1,565.61	(\$358.85)
03/23	\$263.94	\$514.75	\$0.00	\$318.45*	COUNTY TAX	\$1,829.55	(\$162.55)
03/23	\$0.00	\$0.00	\$0.00	\$1,586.63*	HAZARD SFR	\$1,829.55	(\$1,749.18)
04/23	\$263.94	\$1,016.37	\$1,565.61	\$0.00	HAZARD SFR	\$527.88	(\$732.81)
05/23	\$263.94	\$263.94E	\$0.00	\$0.00		\$791.82	(\$468.87)
05/23	\$0.00	\$1,755.67E	\$0.00	\$0.00	Anticipated Payments 12/21-06/22	\$791.82	\$1,286.80
06/23	\$263.94	\$263.94E	\$0.00	\$0.00		\$1,055.76	\$1,550.74
Total	\$3,188.28	\$8,573.35	\$3,167.31	\$3,188.33	Total	\$1,055.76	\$1,550.74
Month	Projected Payment		Projected Disbursement		Description	Current Balance	Required Balance Projected
Start						\$1,550.74	\$1,062.81
07/23	\$265.69		\$0.00			\$1,816.43	\$1,328.50
08/23	\$265.69		\$0.00			\$2,082.12	\$1,594.19
09/23	\$265.69		\$0.00			\$2,347.81	\$1,859.88
10/23	\$265.69		\$0.00			\$2,613.50	\$2,125.57
11/23	\$265.69		\$0.00			\$2,879.19	\$2,391.26
12/23	\$265.69		\$0.00			\$3,144.88	\$2,656.95
01/24	\$265.69		\$1,283.25		CITY TAX	\$2,127.32	\$1,639.39
02/24	\$265.69		\$318.45		COUNTY TAX	\$2,074.56	\$1,586.63
03/24	\$265.69		\$0.00			\$2,340.25	\$1,852.32
04/24	\$265.69		\$1,586.63		HAZARD SFR	\$1,019.31	\$531.38<
05/24	\$265.69		\$0.00			\$1,285.00	\$797.07
06/24	\$265.69		\$0.00			\$1,550.69	\$1,062.76
Total	\$3,188.28		\$3,188.33		Total	\$1,550.69	\$1,062.76

Bankruptcy Adjustment - The Prior Year Account History and Coming Year Projections section of the Annual Escrow Account Disclosure Statement may contain a line item called "Bankruptcy Adjustment". This amount is a credit based upon the unpaid portion of the escrow funds listed on the proof of claim to be paid through the Chapter 13 plan. The amount of the credit is calculated and applied to reach the minimum required balance for the escrow account as allowed under the loan documents and applicable non-bankruptcy law. The credit may not represent the total outstanding amount of escrow funds owed in the proof of claim but ensures that any escrow funds listed on the proof of claim to be paid through the plan will not be collected through the escrow shortage or surplus listed in the Annual Escrow Account Disclosure Statement. In some instances, only a portion of the proof of claim escrow funds are listed as a credit to reach the required minimum account balance.

You will receive an Annual Escrow Account Disclosure Statement reflecting the actual disbursements at the end of the next escrow analysis cycle. However, you should keep this statement for your own records for comparison. If a previous escrow analysis statement was sent to you by your previous servicer, please refer to that statement for comparison purposes. If you have any questions, please call Anna Howard at 866-316-2432. Our hours of operation are Monday through Friday from 8 a.m. to 5 p.m. (CT). Visit us on the web at www.mrcooper.com for more information.

Note: Any disbursements listed after the date of this statement are assumed to be projected or estimated.

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
James M. Toomey,	:	Bankruptcy No. 21-21477-JAD
Debtor,	:	Chapter 13
	:	
Nationstar Mortgage LLC ,	:	
Secured Creditor,	:	
	:	
James M. Toomey,	:	
Debtor / Respondent,	:	
	:	
and	:	
Ronda J. Winnecour,	:	
Trustee / Respondent.	:	
	:	

**CERTIFICATION OF SERVICE OF
NOTICE OF MORTGAGE PAYMENT CHANGE**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on May 17, 2023. The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: electronic notification and first-class mail.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

Service by Electronic Notification:

Ronda J. Winnecour
Suite 3250, USX Tower
600 Grant Street
Pittsburgh, PA 15219
Email: cmecf@chapter13trusteewdpa.com

Amy L. Zema
Law Office of Amy L. Zema
2366 Golden Mile Highway
#155
Pittsburgh, PA 15239
Email: amy@zema-lawoffice.com

Service by First Class Mail:

James M. Toomey
2815 Spring Garden Drive
Pittsburgh, PA 15212

Dated: May 17, 2023

By: /s/Roger Fay
Signature

Roger Fay, Esquire
Typed Name

14000 Commerce Parkway
Suite H, Mount Laurel, NJ 08054
Address

(856) 724-1888
Phone No.

315987, Pennsylvania
List Bar I.D. and State of Admission
rfay@milsteadlaw.com
Attorneys for Secured Creditor
PAWB Local Form 7 (07/13)